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EXAMINER

HOSSAIN, FARZANA E

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/006,914	<b>Applicant(s)</b> JULIA ET AL.	
	<b>Examiner</b> FARZANA HOSSAIN	<b>Art Unit</b> 2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-18, 23, 24, 30-32, 38-44, 46, 50, 51, 54-60, 63-75 and 77-83 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-18, 23, 24, 30-32, 38-44, 46, 50, 51, 54-60, 63-75 and 77-83 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to communications filed 05/11/2010. Claims 1-14, 19-22, 25-29, 33-37, 45, 47, 48, 52, 53, 61, 62 and 76 are cancelled. Claims 15, 24, 38, 46, 50, 59, 77 and 78 are amended. Claims 16-18, 23, 30-32, 39-44, 49, 51, 54-58, 60, 63-75 and 79-83 have been previously presented.

2. Regarding objections, the applicant stated that the objections were addressed; however, some of the objections were not addressed. See below.

### ***Response to Arguments***

3. Applicant's arguments filed 05/11/2010 have been fully considered but they are not persuasive.

Regarding Claim 15, the applicant states that the publication Joao is not prior art, but that the provisional of Joao predates the instant application. The applicant argues that the provisional the provisional does not meet limitation of enabling a user of a computer that is connected over a network to interact with the television content by respond to one or more events that are depicted with audio video events...providing for the audio video content to be altered based at least in part on input received from the user that are responses to the audio video

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events (Page 12). The applicant provides sections from pages 18 and 19 of the provisional regarding camera angles, etc and argues that providing the user ability to select camera angles is not providing audio video content to be altered based at least in part on input received from user that are responses to audio video events (Page 14). The applicant argues that the purpose of the user helping with decision is for marketing campaigns, focus groups, etc and not altering the audio video events (Page 15). The applicant particularly argues that the provisional discloses communicating over the network an input ...to enable input to be interactive with the television content and providing audio video content to be altered (Pages 15-16).

In response to the arguments, the examiner respectfully disagrees. The user's responses or feedback in a game show environment to assist a game show contestant alters the program. The applicant did not provide these sections from the specification and only provided section related to program and game/events. Joao discloses enabling a user of a computer (Provisional: 2<sup>nd</sup> paragraph of page 44-1<sup>st</sup> paragraph of page 45; Reference: Figure 1, 20, Figure 3, 20B, Page 8, paragraphs 0126, 0127) that is connected over a network (Provisional: 1<sup>st</sup> paragraph of page 33, Figure 1, 10, 20; Reference: Figure 1, 10, 20, Page 6, paragraph 0099) to interact with the TV content by responding to one or more events that are depicted with audio-video events in the television and which are not part of any electronic programming guide (EPG) which includes playing a game and helping a game show contestant play a game – and responses can be choices or feedback or communicating via a network

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(Provisional: 1st paragraph of page 62 and 1st paragraph of page 63, 2<sup>nd</sup> paragraph of page 71 to 2nd paragraph of page 72, 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs of page 81; Reference: Pages 11-13, paragraph 0163, 0165, 0178, 0185, 0186, Page 14, paragraph 0204-0206, 0209, 0210, Page 16, paragraphs 0229, 0231), providing for the audio-video content to be altered based at least in part on input received from the user that are responses to the audio video events as the program/ game/game show is altered based on the user response or feedback and helping and assisting participants in game, event or program (Provisional: 1<sup>st</sup> paragraph of page 26, 1st paragraph of page 62 and 1st paragraph of page 63, 2<sup>nd</sup> paragraph of page 71 to 2nd paragraph of page 72, 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs of page 81; Reference: Page 5, paragraph 0080, Page 12, paragraph 0178, Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210, Page 16, paragraphs 0229, 0231).

Regarding Claim 30, the applicant argues that Joao provisional does not disclose enabling a user to manipulate a computer to respond to one or more events that are depicted as actions or events in the audio and video of content of the television program; providing for audio and video content to be altered based at least in part on input received from the user (Page 16).

In response to the argument, the examiner respectfully disagrees. Joao discloses enabling a user to manipulate a computer to respond to one or more events that are depicted as actions or events in the audio and video content of the TV program including feedback to assist game show contestants

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(Provisional: 1<sup>st</sup> paragraph of page 26, 1st paragraph of page 62 and 1st paragraph of page 63, 1<sup>st</sup> paragraph of Page 69, 2<sup>nd</sup> paragraph of page 71 to 2nd paragraph of page 72, 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs of page 81;; Reference: Figure 1, 20, Figure 3, 20B, Page 8, paragraphs 0126, 0127, Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210) and providing for the audio-video content to be altered based at least in part on input received from the user to assist a game show contestant (Provisional: 1<sup>st</sup> paragraph of page 26, 1st paragraph of page 62 and 1st paragraph of page 63, 2<sup>nd</sup> paragraph of page 71 to 2nd paragraph of page 72, 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs of page 81; Reference: Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210).

Regarding Claim 36, 38, 46, 82, 83 and dependent claims, the applicant provides similar arguments to claims 1 and 30.

See responses above.

### ***Claim Objections***

4. Claims 15, 32, 38, 46 and 77 are objected to because of the following informalities:

Claim 15 recites “the source.” The examiner assumes “the source” to be -a source--.

Claim 32 recites “the user.” The examiner assumes “the user” to be --a user--.

Claim 38 recites “the audio-events.” The examiner assumes “the audio-events” to be -- the audio-video events --.

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Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 15-18, 23, 24, 30-32, 38-41, 43, 44, 46, 49-51, 56-60, 63-75 and 77-83 are rejected under 35 U.S.C. 102(e) as being anticipated by Joao (US 2002/0108125).

Regarding Claim 15, Joao discloses a method for interacting with a television (TV) system (Figures 6-8, Figure 1, Figure 3), the method comprising:

receiving the TV content (Page 5, paragraphs 0084, 0088, Page 12, paragraph 0177, 0178), and displaying the TV content on a display system (Page 8, paragraph 0124, Figure 3, 20A) and

enabling a user of a computer (Figure 1, 20, Figure 3, 20B, Page 8, paragraphs 0126, 0127) that is connected over a network (Figure 1, 10, 20, Page 6, paragraph 0099) to interact with the TV content by responding to one or more events that are depicted with audio-video events in the television and which are

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not part of any electronic programming guide (EPG) (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraphs 0209, 0210, Page 16, paragraphs 0229, 0231),

wherein enabling the user of the computer includes providing a user interface that enables the user to interact with the TV content through manipulation of the user interface (Figure 1, 20, Figure 3, 20B, Page 8, paragraph 0124-0126, Pages 11-13, paragraph 0163, 0165, 0185, 0186);

transmitting, from over the network (Figure 1, 30, 20, Page 6, paragraph 0099), an input from the computer (Figure 1, 30, 20, Pages 12-13, paragraph 0185, 0186) corresponding to the user responding to the one or more audio-video events to a source associated with the television content (Page 13, paragraph 0193, Page 14, paragraph 0204-0206, Figure 8), so as to enable the input to be interactive with the television content (Page 13, paragraph 0193, Page 14, paragraphs 0204-0206, Figure 8) and

Providing for the audio-video content to be altered based at least in part on input received from the user that are responses to the audio video events (Page 12, paragraph 0178, Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210, Page 16, paragraphs 0229, 0231).

Regarding Claim 16, Joao discloses all the limitations of Claim 15. Joao discloses the display system includes a display combined with a separate or integrated set top box (STB) as the television system can include television and television receiver (Figure 3, 20A, Page 8, paragraph 0124).



Regarding Claim 17, Joao discloses all the limitations of Claim 15. Joao discloses wherein receiving the TV content includes receiving the TV content as part of a broadcast (Page 5, paragraphs 0084, 0088).

Regarding Claim 18, Joao discloses all the limitations of Claim 15. Joao discloses receiving the TV content includes receiving the TV content transmitted over the network to the computer (Page 5, paragraphs 0084, 0088, Page 6, paragraphs 0099, 0106).

Regarding Claim 23, Joao discloses all the limitations of Claim 17. Joao discloses wherein receiving the TV content includes receiving the TV content on a STB or television receiver (Page 8, paragraph 0124).

Regarding Claim 24, Joao discloses all the limitations of Claim 17. Joao discloses wherein receiving TV content includes receiving the TV content on the display device or TV (Page 8, paragraph 0124).

Regarding Claim 30, Joao discloses a method for interacting with a display device (Figures 6-8, Figure 1, Figure 3), the method comprising:

receiving a signal that carries a TV program (Page 12, paragraph 0177, 0178); displaying audio and video content as part of the TV program from the signal (Page 5, paragraph 0084, Page 11, paragraph 0165), the audio and video being content of a type that is not electronic programming guide (EPG) content (Page 5, paragraph 0084, Page 11, paragraph 0165, Page 14, paragraph 0204-0206);

enabling a user to manipulate a computer to respond to one or more events that are depicted as actions or events in the audio and video content of the TV program (Figure 1, 20, Figure 3, 20B, Page 8, paragraphs 0126, 0127, Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210)

wherein enabling the user includes using the computer to signal an input corresponding to the user's manipulation of the computer over a network to a destination that is associated with the TV program (Figure 1, 10, 20, Page 6, paragraph 0099, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225) and

Providing for the audio-video content to be altered based at least in part on input received from the user (Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210).

Regarding Claim 31, Joao discloses all the limitations of Claim 30. Joao discloses receiving an interactive signal is an interactive television signal that is communicated through a broadcast, digital cable connection or the Internet (Page 6, paragraph 0106).

Regarding Claim 32, Joao discloses a method for interacting with a display device (Figures 6-8, Figure 1, Figure 3), the method comprising:

Processing a multimedia signal in order to display an audio-video content from the multimedia signal on the display device as the program is processed to

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be displayed (Page 12, paragraph 0177, 0178, Page 5, paragraph 0084, Page 8, paragraph 0129);

Enabling a user to use a computer to respond to one or more audio-video events in at least a portion of the audio video content (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225), the one or more audio vide events being of a type that is not EPG content (Figure 1, 10, 20, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225),

wherein enabling the user to respond includes receiving input from over a network corresponding to the user manipulating the computer that is in wireless communication with the network (Page 6, paragraphs 0099, 0106, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225)

Enabling the input received from the user to be communicated over the network to one or more participants who are also viewing the audio-video content by separately processing a different multimedia signal (Page 5, paragraph 0080, 0086, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225);

Providing for the audio-video content to be altered based at least in part on input received from the user (Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210).

Regarding 38, Joao discloses a system for providing broadcast content to a user (Figure 1, Figure 3, Figures 6-8), the system comprising:

A computer (Figure 1, 20, Figure 3, 20B, Page 8, paragraph 0124, Page 5, paragraph 0088) including a graphic user interface (Figure 3, 20G, Page 8, paragraphs 0128, 0129), the computer being coupled to a network (Page 6, paragraph 0099).

The computer inherently includes an operating system as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Page 8, paragraphs 0128, 0129).

Joao discloses a receiver system coupled to the network, wherein the receiver system is configured to (i) receive a broadcast of audio and video content (Figure 1, 20, Figure 3, 20A, Page 5, paragraph 0084, 0086);

wherein the broadcast is communicated to a plurality of receiving systems at the same time including to the receiving system of the user and to other receiving systems of other users as viewers can be viewing the same game or sport at the same time and participating with the program (Page 5, paragraph 0080, 0086, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225); and

wherein the computer is configured to enable the user to enter one or more inputs in response to occurrence of one or more audio-video events in at least a portion of the broadcast (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225), the one or more audio-events corresponding to content that is of a type that is not EPG

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content (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225),

wherein computer is connected over the network to a source associated with the broadcast content so that the one or more inputs are communicated over the network to the source (Pages 11-13, paragraph 0163, 0165, 0185, 0186,

Page 14, paragraphs 0204-0206, 0213, Page 15, paragraph 0221, 0225) and

wherein the system is configured to provide for the audio-video content to be altered based at least in part on input received from the user (Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210).

Regarding Claim 39, Joao discloses all the limitations of Claim 38. Joao discloses a display device displaying content from the video of the broadcast content (Page 8, paragraph 0124).

Regarding Claim 40, Joao discloses all the limitations of Claim 39. Joao discloses that the computer is operable to enable a user to communicate a command for the display device or the receiver system (Page 8, paragraph 0124, 0126, 0127).

Regarding Claim 41, Joao discloses all the limitations of Claim 38. Joao discloses receiving system includes a console or a set top box (Page 8, paragraph 0124).

Regarding Claim 43, Joao discloses all the limitations of Claim 38. Joao discloses the broadcast content is provided by a television signal and wherein the receiver system is configured to receive and use the television signal (Page

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8, paragraph 0124, Page 5, paragraph 0084, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraphs 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 44, Joao discloses all the limitations of Claim 38. Joao discloses the television signal is interactive (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraphs 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding 46, Joao discloses a system for providing broadcast content to a user (Figure 1, Figure 3, Figures 6-8), the system comprising:

A plurality of computers (Figure 1, 20, Figure 3, 20B, Page 5, paragraph 0080, 0086, 0088, Page 8, paragraph 0124) including a graphic user interface (Figure 3, 20G, Page 8, paragraphs 0128, 0129), wherein each computer is coupled to a wide area network (Page 6, paragraph 0099, 0106).

The computer inherently includes an operating system as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Page 8, paragraphs 0128, 0129).

Joao discloses wherein each computer is configured to communicate with corresponding one of the plurality of receiver systems over the network (Page 14, paragraph 0204-0206, 0210, 0213, Page 15, paragraph 0221, 0225),

Each receiver system receiving the broadcast containing audio and video content independent of the other receiving systems and communicating at least

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a portion of the broadcast to the corresponding one of the computers using the network (Page 14, paragraph 0204-0206, 0210, 0213, Page 15, paragraph 0221, 0225);

a receiver system coupled to the network, wherein the receiver system is configured to (i) receive a broadcast of audio and video content (Figure 1, 20, Figure 3, 20A, Page 5, paragraphs 0084, 0086);

wherein the broadcast is communicated to a plurality of receiving systems at the same time including to the receiving system of the user and to other receiving systems of other users as viewers can be viewing the same game or sport at the same time and participating with the program (Page 5, paragraph 0080, 0086, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225); and

wherein the computer is configured to enable the user to enter one or more inputs in response to occurrence of (i) one or more audio-video events in at least a portion of the broadcast that correspond to content that is of a type that is not EPG content (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225) and (ii) one or more inputs from any of the other computers in the plurality of computers communicating with corresponding receiving systems and which that include an input from another user responding to the one or more audio events (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225),

wherein computer is connected over the network to a source associated with the broadcast content so that the one or more inputs are communicated over the network to the source (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225) and

wherein the audio-video content are altered based on at least in part on input and response to input from the computer (Page 13, paragraph 0193, Page 14, paragraph 0204-0206, 0210).

Regarding Claim 49, Joao discloses all the limitations of Claim 15. Joao discloses the one or more events are depicted as non textual (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 50, Joao discloses all the limitations of Claim 15. Joao discloses on the one or more events to a figure communicating a question, and wherein the input from the user corresponds to a reply to the question (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 51, Joao discloses all the limitations of Claim 50. Joao discloses the figure communicating a question is a person participating in a game show (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).



Regarding Claim 56, Joao discloses all the limitations of Claim 15. Joao discloses the source corresponds to a television studio (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0202).

Regarding Claim 57, Joao discloses all the limitations of Claim 15. Joao discloses wherein receiving the television content includes receiving a television game show program, and wherein enabling the user of the computer to interact includes enabling the user to participate in the television game show with one or more other persons that are remote to the user (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 58, Joao discloses all the limitations of Claim 30. Joao discloses the one or more audio video events are depicted as non textual such as plays during a sporting event or question posed to the game show contestant (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 59, Joao discloses all the limitations of Claim 30. Joao discloses on the one or more events to a figure communicating a question, and wherein the input from the user corresponds to a reply to the question (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 60, Joao discloses all the limitations of Claim 59. Joao discloses the figure communicating a question is a person participating in a game

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show (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 63, Joao discloses all the limitations of Claim 15. Joao discloses the destination corresponds to a television studio (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0202).

Regarding Claim 64, Joao discloses all the limitations of Claim 30. Joao discloses enabling the user to manipulate the computer to respond to the one or more events includes enabling the user to respond to a person that is depicted by the audio and video content (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 65, Joao discloses all the limitations of Claim 30. Joao discloses enabling the user to manipulate the computer to respond to the one or more events includes enabling the user to initiate a purchase in a response to the one or more events (Pages 11-13, paragraph 0163, 0165, 0167, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 66, Joao discloses all the limitations of Claim 32. Joao discloses the one or more events are depicted as non textual (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 67, Joao discloses all the limitations of Claim 32. Joao discloses on the one or more events to a figure communicating a question, and wherein the input from the user corresponds to a reply to the question (Pages 11-

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13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 68, Joao discloses all the limitations of Claim 67. Joao discloses the figure communicating a question is a person participating in a game show (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 69, Joao discloses all the limitations of Claim 32. Joao discloses combining the input from the user with other inputs from other users who communicate their respective input over the network (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 70, Joao discloses all the limitations of Claim 32. Joao discloses the TV content corresponds to a program, wherein the input from the user is subsequently received and incorporated into the program (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225, Figures 6-8).

Regarding Claim 71, Joao discloses all the limitations of Claim 38. Joao discloses the one or more audio video events are depicted as non textual such as plays during a sporting event or question posed to the game show contestant (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 72, Joao discloses all the limitations of Claim 38. Joao discloses on the one or more events to a figure communicating a question, and

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wherein the input from the user corresponds to a reply to the question (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 73, Joao discloses all the limitations of Claim 73. Joao discloses the figure communicating a question is a person participating in a game show (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 74, Joao discloses all the limitations of Claim 38. Joao discloses combining the input from the user of a computer with other inputs from other users who communicate their respective input over the network (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 75, Joao discloses all the limitations of Claim 74. Joao discloses the TV content corresponds to a program, wherein the input from the user is subsequently received and incorporated into the program Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225, Figures 6-8).

Regarding Claim 77, Joao discloses all the limitations of Claim 38. Joao discloses the one or more events are depicted as non textual and the future audio-video events are not predetermined as the viewer or viewers are choosing the future events (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 78, Joao discloses all the limitations of Claim 46. Joao discloses on the one or more events to a figure communicating a question, and wherein the input from the user corresponds to a reply to the question (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 79, Joao discloses all the limitations of Claim 78. Joao discloses the figure communicating a question is a person participating in a game show (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225).

Regarding Claim 80, Joao discloses all the limitations of Claim 46. Joao discloses combining the input from the user of a computer with other inputs from other users who communicate their respective input over the network (Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225).

Regarding Claim 81, Joao discloses all the limitations of Claim 46. Joao discloses the TV content corresponds to a program, wherein the input from the user is subsequently received and incorporated into the program Pages 11-13, paragraph 0163, 0165, 0185, 0186, 0198, Page 14, paragraph 0204-0206, Page 15, paragraph 0221, 0225, Figures 6-8).

Regarding Claim 82, Joao discloses a method for providing interactive television content, the method comprising:

providing the television content, so that the television content can be displayed on a display system of a plurality of users (Figure 1, 20, Figure 3, 20B, Page 5, paragraph 0080, 0086, 0088);

enabling a user of a computer (Figure 1, 20, Figure 2, 20B, Page 8, paragraphs 0124, 0126) that is connected to a network (Page 6, paragraphs 0099, 0106) to use the network to interact with and respond to one or more events that are depicted as audio-video in the television content, the one or more events being provided as content that is of a type that is not electronic programming guide (EPG) content (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225);

wherein enabling the user of the computer includes providing the computer with a user interface that enables the user to respond to the one or more events through manipulation of the user interface (Page 8, paragraphs 0124, 0126, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225), the user's manipulation are communicated as input across the network to a source that is associated with the television content (Page 14, paragraph 0204-0206, 0213, Pages 11-13, paragraph 0163, 0165, 0185, 0186);

altering audio or video in the television content based on and responsive to the input from the computer (Page 14, paragraph 0204-0206, 0213, Pages 11-13, paragraph 0163, 0165, 0185, 0186).

Regarding Claim 83, Joao discloses a method for interacting with a display device, the method comprising:

processing a multimedia signal transmitted to a user in order to display an audio-video content from the multimedia signal on a display system and on a computer (Page 12, paragraph 0177, 0178, Page 5, paragraph 0084, Page 8, paragraph 0129, Figure 3, 20B);

enabling the user to use the computer to respond to one or more audio-video events depicted in at least a portion of the audio-video content, the one or more audio-video events being of a type that is not electronic programming guide (EPG) content (Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225),

wherein enabling the user to respond includes receiving input from over a network corresponding to the user manipulating the computer that is in wireless communication with the network (Page 6, paragraphs 0099, 0106, Pages 11-13, paragraph 0163, 0165, 0185, 0186, Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225);

and altering audio or video in the audio-video content displayed to the user based on and responsive to the input received from the user (Page 14, paragraph 0204-0206, 0213, Page 15, paragraph 0221, 0225 Pages 11-13, paragraph 0163, 0165, 0185, 0186).

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joao as applied to Claim 38 and further in view of Herigstad et al (US 2002/0100063 and hereafter referred to as "Herigstad")

Regarding Claim 42, Joao discloses all the limitations of Claim 38. Joao is silent on a Wireless Fidelity network. In analogous art, Herigstad discloses that the palmtop computer is coupled to a Wireless Fidelity network (Page 3, paragraph 0039). Therefore, it would have been obvious at the time the invention was made to modify Joao to include palmtop computer is coupled to a Wireless Fidelity network (Page 3, paragraph 0039) as taught by Herigstad in order to provide more ways to connect the receiver and the mobile device so as to expand the TV viewing experience.

9. Claims 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao in view of Von Kohorn (US 5,034,807 and hereafter referred to as "Von").

Regarding Claim 54, Joao discloses all the limitations of Claim 15. Joao discloses wherein enabling the user of the computer to interact includes enabling the user to respond to questions posed (Page 2, paragraph 0023). Joao is silent



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on receiving the television content includes receiving a television program that includes one or more audio video events that depict a person asking questions, wherein enabling the user interaction includes enabling the user to respond to the person asking questions. Von discloses that the receiving the television content includes receiving a television program that includes one or more audio video events that depict a person asking questions (Column 24, lines 38-65), and wherein enabling the user interaction includes enabling the user to respond to the person asking questions (Column 24, lines 19-29, 55-65, Column 22, lines 51-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Joao to include receiving the television content includes receiving a television program that includes one or more audio video events that depict a person asking questions (Column 24, lines 38-65), and wherein enabling the user interaction includes enabling the user to respond to the person asking questions (Column 24, lines 19-29, 55-65, Column 22, lines 51-67) as taught by Von in order to provide a manner of determining answers from a home audience so as to provide gain more home viewers because there is a way for home viewers to actively participate (Column 1, lines 30-49) as disclosed by Von.

Regarding Claim 55, Joao and Von disclose all the limitations of Claim 54. Von discloses enabling the user to respond to the person asking questions (Column 24, lines 19-29, 55-65, Column 22, lines 51-67) includes enabling the user to respond to the source associated with the television content (Figure 1, 14, Column 45, lines 16-35).

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FARZANA HOSSAIN/  
Primary Examiner, Art Unit 2424

July 15, 2010